

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

FCC 03M-56
02850

In the Matter of)	EB Docket No. 03-85
)	
BUSINESS OPTIONS, INC.)	File No. EB-02-TC-151
)	
Order to Show Cause and Notice of)	NAL/Acct. No. 200332170002
Opportunity for Hearing)	FRN: 0007179054
)	

ORDER

Issued: December 9, 2003

Released: December 10, 2003

On November 25, 2003, the Enforcement Bureau ("Bureau") filed Enforcement Bureau's Motion to Compel Answer to Fourth Set of Interrogatories. On December 8, 2003, Business Options, Inc. ("BOI") filed Business Options, Inc.'s Response to the Enforcement Bureau's Motion to Compel Answers to Fourth Set of Interrogatories.¹

The Bureau's Fourth Set of Interrogatories asked five interrogatory questions pertaining to four added issues concerning BOI's alleged failures to make required contributions to universal service support programs in violation of § 254(d) of the Act, and § 54.706 of the Commission's rules.² BOI had failed to answer four of the five interrogatory questions seeking information as to relevant dates that BOI actually became a telecommunications carrier which would trigger an obligation to file and make universal service payments. There was a related interrogatory question seeking facts that would corroborate the operative date. There was also an interrogatory question seeking the date that BOI started receiving income from its carrier services and information on sources of income. Finally, the Bureau sought interrogatory discovery describing the process used by BOI to prepare required Worksheets used in reporting universal service fees.

All the information sought by the Bureau's Fourth Set of Interrogatories appeared relevant to the added issues which were specifically referenced by the Bureau. Now BOI has decided to respond to each of the Bureau's interrogatories. BOI's Response dated December 8, 2003, contains factual information that is facially responsive to the previously contested interrogatory questions. Therefore, the Bureau's Motion to Compel that is under consideration becomes moot.

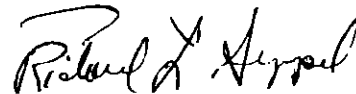
¹ The Presiding Judge informally granted an extension of one business day, *sua sponte*, due to the inclement weather conditions.

² See *Memorandum Opinion and Order*, FCC 03M-33, released August 20, 2003.

Ruling

Accordingly, IT IS ORDERED that the Enforcement Bureau's Motion to Compel Answers to Fourth Set of Interrogatories filed on November 25, 2003, IS DISMISSED as moot, without prejudice to refile by **December 15, 2003**, if the information provided is considered to be incomplete.

FEDERAL COMMUNICATIONS COMMISSION³

A handwritten signature in black ink, appearing to read "Richard L. Sippel". The signature is fluid and cursive, with the first name "Richard" and last name "Sippel" clearly distinguishable.

Richard L. Sippel
Chief Administrative Law Judge

³ Courtesy copies of this *Order* were sent to counsel for the parties by fax or e-mail on the date of issuance